

HOUSE BILL No. 1366

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-13.6-5-4; IC 14-8-2; IC 14-20.

Synopsis: Historic sites and in-house projects. Increases from \$50,000 to \$75,000 the cost of projects that the department of natural resources may perform without awarding a public works contract. Authorizes the donation, exchange, and sale of items contained in the division of state museums and historic sites' collection. Changes the organization of the division's board of trustees. Establishes the historic site fund, and requires money generated by a historic site to be deposited in the fund. Requires at least 51% of the fees collected from a particular historic site to be used for educational programs at the historic site and for maintenance and operation of the historic site. (The introduced version of this bill was prepared by the natural resources study committee.)

Effective: July 1, 2005.

Hoffman, Bischoff

January 13, 2005, read first time and referred to Committee on Natural Resources.

C
o
p
y



First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1366

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 4-13.6-5-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) If the estimated
3 cost of a public works project is less than seventy-five thousand dollars
4 (\$75,000), the division may perform the public work without awarding
5 a public works contract under section 2 of this chapter. In performing
6 the public work, the division may authorize use of equipment owned,
7 rented, or leased by the state, may authorize purchase of materials in
8 the manner provided by law, and may authorize performance of the
9 public work using employees of the state.
10 (b) If a public works project involves a structure, improvement, or
11 facility under the control of the department of natural resources, the
12 department of natural resources may purchase materials for the project
13 in the manner provided by law and without a contract being awarded,
14 and may use its employees to perform the labor and supervision, if:
15 (1) the department of natural resources uses equipment owned or
16 leased by it; and
17 (2) the division of engineering of the department of natural



C
o
p
y

resources estimates the cost of the public works project will be less than ~~fifty seventy-five~~ thousand dollars ~~(\$50,000)~~: **(\$75,000)**.

(c) If a public works project involves a structure, improvement, or facility under the control of the department of correction, the department of correction may purchase materials for the project in the manner provided by law and use inmates in the custody of the department of correction to perform the labor and use its own employees for supervisory purposes, without awarding a contract, if:

(1) the department of correction uses equipment owned or leased by it; and

(2) the estimated cost of the public works project using employee or inmate labor is less than the greater of:

(A) fifty thousand dollars (\$50,000); or

(B) the project cost limitation set by IC 4-13-2-11.1.

All public works projects covered by this subsection must comply with the remaining provisions of this article, and all plans and specifications for the public works project must be approved by a licensed architect or engineer.

SECTION 2. IC 14-8-2-77 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 77. "Division" has the following meaning:

(1) For purposes of IC 14-9-8, the meaning set forth in IC 14-9-8-2.

(2) For purposes of IC 14-20-1, the meaning set forth in IC 14-20-1-2.

(3) For purposes of **IC 14-20-1.1** and IC 14-21-1, the meaning set forth in IC 14-21-1-6.

(4) For purposes of IC 14-22, the division of fish and wildlife.

(5) For purposes of IC 14-24, the division of entomology and plant pathology.

(6) For purposes of IC 14-25.5, the division of water.

(7) For purposes of IC 14-31-2, the meaning set forth in IC 14-31-2-4.

(8) For purposes of IC 14-37, the division of oil and gas.

SECTION 3. IC 14-8-2-107 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 107. "Fund" has the following meaning:

(1) For purposes of IC 14-9-5, the meaning set forth in IC 14-9-5-1.

(2) For purposes of IC 14-9-8-21, the meaning set forth in IC 14-9-8-21.

(3) For purposes of IC 14-9-8-21.5, the meaning set forth in

C
o
p
y



- 1 IC 14-9-8-21.5.
- 2 (4) For purposes of IC 14-9-9, the meaning set forth in
- 3 IC 14-9-9-3.
- 4 (5) For purposes of IC 14-12-1, the meaning set forth in
- 5 IC 14-12-1-1.
- 6 (6) For purposes of IC 14-12-2, the meaning set forth in
- 7 IC 14-12-2-2.
- 8 (7) For purposes of IC 14-12-3, the meaning set forth in
- 9 IC 14-12-3-2.
- 10 (8) For purposes of IC 14-13-1, the meaning set forth in
- 11 IC 14-13-1-2.
- 12 (9) For purposes of IC 14-13-2, the meaning set forth in
- 13 IC 14-13-2-3.
- 14 (10) For purposes of IC 14-16-1, the meaning set forth in
- 15 IC 14-16-1-30.
- 16 (11) For purposes of IC 14-19-8, the meaning set forth in
- 17 IC 14-19-8-1.
- 18 (12) For purposes of IC 14-20-1, the meaning set forth in
- 19 IC 14-20-1-3.
- 20 **(13) For purposes of IC 14-20-1.1, the meaning set forth in**
- 21 **IC 14-20-1.1-1.**
- 22 ~~(13)~~ (14) For purposes of IC 14-20-11, the meaning set forth in
- 23 IC 14-20-11-2.
- 24 ~~(14)~~ (15) For purposes of IC 14-22-3, the meaning set forth in
- 25 IC 14-22-3-1.
- 26 ~~(15)~~ (16) For purposes of IC 14-22-4, the meaning set forth in
- 27 IC 14-22-4-1.
- 28 ~~(16)~~ (17) For purposes of IC 14-22-5, the meaning set forth in
- 29 IC 14-22-5-1.
- 30 ~~(17)~~ (18) For purposes of IC 14-22-8, the meaning set forth in
- 31 IC 14-22-8-1.
- 32 ~~(18)~~ (19) For purposes of IC 14-22-34, the meaning set forth in
- 33 IC 14-22-34-2.
- 34 ~~(19)~~ (20) For purposes of IC 14-23-3, the meaning set forth in
- 35 IC 14-23-3-1.
- 36 ~~(20) For purposes of IC 14-23-8, the meaning set forth in~~
- 37 ~~IC 14-23-8-1.~~
- 38 (21) For purposes of IC 14-25-2-4, the meaning set forth in
- 39 IC 14-25-2-4.
- 40 (22) For purposes of IC 14-25-10, the meaning set forth in
- 41 IC 14-25-10-1.
- 42 (23) For purposes of IC 14-25-11-19, the meaning set forth in

C
o
p
y



IC 14-25-11-19.

(24) For purposes of IC 14-25.5, the meaning set forth in IC 14-25.5-1-3.

(25) For purposes of IC 14-28-5, the meaning set forth in IC 14-28-5-2.

(26) For purposes of IC 14-31-2, the meaning set forth in IC 14-31-2-5.

(27) For purposes of IC 14-25-12, the meaning set forth in IC 14-25-12-1.

(28) For purposes of IC 14-33-14, the meaning set forth in IC 14-33-14-3.

(29) For purposes of IC 14-33-21, the meaning set forth in IC 14-33-21-1.

(30) For purposes of IC 14-34-6-15, the meaning set forth in IC 14-34-6-15.

(31) For purposes of IC 14-34-14, the meaning set forth in IC 14-34-14-1.

(32) For purposes of IC 14-37-10, the meaning set forth in IC 14-37-10-1.

SECTION 4. IC 14-20-1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. The division may do the following:

(1) Undertake the action necessary to qualify the state for participation in sources of federal aid to preserve historic property, materials, items, sites, and memorials.

(2) Provide information on historic property, materials, items, sites, and memorials within Indiana to federal, state, and local governmental agencies, private individuals, and organizations.

(3) Advise and coordinate the activities of local historical associations, historic district commissions, historic commissions, and other interested groups or persons.

(4) Provide technical and financial assistance to local historical associations, historic district commissions, historic commissions, and other interested groups or persons.

(5) Develop a program of interpretation and publication of the state's historical, architectural, and archeological resources.

(6) Collect and preserve objects of scientific and cultural value representing past and present flora and fauna, the life and work of man, geological history, natural resources, the manufacturing arts, and fine arts.

(7) Notwithstanding IC 5-22-22, the division may do the following:

C
o
p
y



(A) Donate or exchange artifacts in the division's collection to or with a public or nonprofit museum, a historical society, a university, or a similar institution.

(B) Sell items in the division's collection at auction or public sale.

SECTION 5. IC 14-20-1-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 16. (a) The board of trustees for the division of state museums and historic sites is established.

(b) The trustees consist of thirteen (13) members as follows:

(1) The director of the department, who shall serve as chairman.

(2) Twelve (12) members appointed by the governor as follows:

(A) ~~One (1) member~~ **Three (3) members** of the Indiana State Museum ~~Society Foundation~~ **who are** nominated by the ~~Society~~ **Foundation**.

~~(B) One (1) member of the Indiana State Museum Volunteers nominated by the volunteers.~~

~~(C) Two (2) members must be recognized supporters of historic sites who are nominated by a recognized supporter of historic sites.~~

~~(D) (C) Not more than seven (7) members may be members of the same political party.~~

~~(E) Not more than two (2) members may be from the same county.~~

~~(F) Each congressional district in Indiana must be represented by at least one (1) member.~~

(c) The terms of the appointed members shall be staggered.

(d) The governor shall make appointments under subsection (b) in a manner to achieve diversity and geographic balance among the trustees.

SECTION 6. IC 14-20-1-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 20. **(a) One (1) time each year the board of trustees shall select a vice chairman elect officers from their the membership for a term of one (1) year expiring September 1 following of the selection. The division director is the secretary of the trustees. board. The officers must include the following:**

(1) A chairperson, who shall preside at the meetings.

(2) A vice chairperson, who shall preside at the meetings in the absence of the chairperson.

(3) A secretary, who shall cause the preparation and maintenance of records of the business of the board.

C
o
p
y



1 **(b) A board officer:**

2 **(1) serves a term of one (1) year; and**

3 **(2) may be reelected by the membership of the board.**

4 SECTION 7. IC 14-20-1.1 IS ADDED TO THE INDIANA CODE
5 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2005]:

7 **Chapter 1.1. Historic Site Fund**

8 **Sec. 1. As used in this chapter, "fund" refers to the historic site**
9 **fund established as a dedicated fund by section 2 of this chapter.**

10 **Sec. 2. (a) The historic site fund is established to assist in**
11 **providing funding for educational programs and the maintenance**
12 **and operation of historic sites. The fund shall be administered by**
13 **the division.**

14 **(b) The expenses of administering the fund shall be paid from**
15 **money in the fund.**

16 **(c) The treasurer of state shall invest the money in the fund not**
17 **currently needed to meet the obligations of the fund in the same**
18 **manner as other public money may be invested.**

19 **(d) Money in the fund at the end of a state fiscal year does not**
20 **revert to the state general fund.**

21 **(e) Money in the fund is annually appropriated to the division**
22 **for purposes established in this section.**

23 **Sec. 3. (a) The fund consists of proceeds from sales and leases**
24 **under IC 14-20-1-23(b) and other proceeds generated by the**
25 **historic sites.**

26 **(b) At least fifty-one percent (51%) of the money collected from**
27 **a particular historic site must be used to benefit that site.**

C
O
P
Y

